

## **REMARKS/ARGUMENT**

### **I. General Remarks**

Applicants respectfully request reconsideration of the application in view of the amendments and remarks contained herein.

### **II. Disposition of Claims.**

Claims 113, 116, and 121-130 are pending in the present application.

Claims 1-112, 114-115, and 117-120 were previously canceled. Claim 116 has been canceled herein. Claims 113 and 122 have been amended herein. These amendments are fully supported by the Specification as originally filed, and no new matter has been added.

### **III. Remarks Regarding Claim Amendments in March 13, 2006 Response**

In the Office Action, the Examiner states that:

The amendment to independent claim 113 has converted the claim into another invention along the lines of the previous restriction requirements already set forth on July 6, 2005 and November 16, 2004. In this regard, the previous invention of claim 113 to a method of treating a subterranean formation is deemed independent or distinct from the newly-recited invention of claim 113, as now amended, to a method for treating a producing well by enhancing the removal of fluids and/or solids from the well. More specifically, the two inventions of claim 113, as noted above, are deemed independent as being unrelated. For example, claim 113 prior to the March 13, 2006 Amendment, included no requirement for treating a producing well with removal of solids and/or liquids therefrom, while presently amended claim 113 includes no reference to or step of treating a subterranean formation.

Accordingly, all the presently pending claims, i.e., independent claim 113, along with claim 116, 121-130 are hereby withdrawn from consideration as being directed to a non-elected invention, MPEP 821.03, and thus, *no* claims are now present to the elected invention. See CFR 1.111.

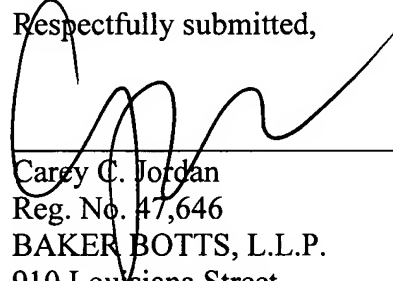
(Office Action at 2.) Herein, Applicants have amended claim 113 to recite “a method of treating a subterranean formation.” Accordingly, claim 113 is directed to the elected invention. Therefore, Applicants respectfully request claim 113 and the claims that depend therefrom, claims 121-130, be reinstated and respectfully request reconsideration of these claims on the merits.

### SUMMARY

In light of the above amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding objections and rejections. Applicants further submit that the application is now in condition for allowance, and earnestly solicits timely notice of the same. Should the Examiner have any questions, comments, or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail.

Applicants believe that there are no fees due in association with the filing of this Response. However, should the Commissioner deem that any fees are due, including any fees for extensions of time, Applicants respectfully request that the Commissioner accept this as a Petition Therefor, and direct that any additional fees be charged to Baker Botts L.L.P. Deposit Account No. 02-0383, Order Number 063718.0716.

Respectfully submitted,



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